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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Notification

LC/1/63

In exercise of the powers conferred by section 7A of the Industrial Disputes Act, 1947 (XIV of 47) the Lieutenant Governor of Goa, Daman and Diu hereby —

1) Constitutes an Industrial Tribunal at Panjim for the adjudication of industrial disputes relating to any matter whether specified in the Second Schedule or Third Schedule of the said Act; and

2) Appoints Shri Sayed Taki Bilgrami, Member Industrial Tribunal, Bombay, as the Presiding Officer thereof.

THE LIEUTENANT GOVERNOR

M. R. Sachdev

Panjim, 30th October, 1963.

Notification

LC/4/63

In exercise of the powers conferred by sub-section (a) of section 2 of the Industrial Employment (Standing Orders) Act, 1946 (XX of 46) the Lieutenant Governor of Goa, Daman and Diu hereby appoints Shri Sayed Taki Bilgrami, Presiding Officer of the Industrial Tribunal, Panjim to exercise throughout the Union Territory of Goa, Daman and Diu, the functions of an Appellate Authority under this Act.

THE LIEUTENANT GOVERNOR

M. R. Sachdev

Panjim, 30th October, 1963.

ORDER

LC/5/64

In exercise of the powers conferred by sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936), the Lieutenant Governor of Goa,

GOVERNO DE GOA, DAMÃO E DIO

Secretaria

Despacho

LC/1/63

Usando das faculdades conferidas pelo artigo 7A de «The Industrial Disputes Act, 1947 (XIV of 47)» o Governador-tenente de Goa, Damão e Dio determina o seguinte:

1) É constituído um Tribunal Industrial, em Panjim, para decidir disputas industriais relacionadas com qualquer assunto mencionado na tabela II ou III do referido Act; e

2) O Sr. Sayed Taki Bilgrami, vogal do Tribunal Industrial de Bombaim, é nomeado Presidente do Tribunal Industrial em Panjim.

O GOVERNADOR-TENENTE

M. R. Sachdev

Panjim, 30 de Outubro de 1963.

Despacho

LC/4/63

Usando das faculdades conferidas pela alínea (a) do artigo 2.º de «The Industrial Employment (Standing Orders) Act, 1946 (XX of 46)», o Governador-tenente de Goa, Damão e Dio designa o Sr. Sayed Taki Bilgrami, Presidente do Tribunal Industrial, em Panjim, para exercer, em todo o território da União, de Goa, Damão e Dio, as funções de autoridade de apelação ao abrigo do referido Act.

O GOVERNADOR-TENENTE

M. R. Sachdev

Panjim, 30 de Outubro de 1963.

Portaria

LC/5/64

Usando das faculdades conferidas pela alínea (1) do artigo 15.º de «The Payment of Wages Act, 1936 (IV of 1936)», o Governador-tenente de Goa, Damão

Daman and Diu is pleased to appoint the under mentioned officers as authorities to hear and decide within the areas specified against their names all claims arising out of deduction from the wages or delay in payment of the wages of persons employed or paid in these areas:

Designation of officer	Area
1. The «Juizes da Comarca» (Taluka judges).	The limits of their respective Comarcas.
2. The «Juizes do Julgado Municipal» (Taluka sub-judges).	The limits of their respective Julgados Municipais.

THE LIEUTENANT GOVERNOR

M. R. Sachdev

Panjim, 17th February, 1964.

ORDER

In exercise of the powers conferred upon me by section 3, of «The Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962», and notwithstanding anything to the contrary contained in any law for the time being in force within this territory, I make the following Order:

It is declared that public utility and urgent necessity exist for the expropriation of the plots detailed below, necessary for the construction of a municipal slaughter-house at Bastora.

1 — Plot of land known as «Banleacho Cuddo», e «Xendo» situated at Bastora, belonging to the Village Community of Bastora of the area of 192 m² and price of Rs. 192/-.

2 — Plot of land known as «Vadachannachi Vassan» situated at Bastora belonging to the said village Community, of area of 396 m² and price of Rs. 396/-.

3 — Plot of land known as «Muro», situated at Bastora belonging to the heirs of Deodata Castelino and Caetano Antonio Crisanto Castelino, from Bastora of the area of 3254 m², and price of Rs. 1627/-.

4 — Plot of land known as «Cantorla» situated at Bastora and belonging to the heirs of Jose João de Mendonça, of the area of 26 m² and the price of Rs. 13/-.

A time limit of one year is declared for the conclusion of work, with effect from the expropriation.

P. J. Fernandes

Chief Secretary

Panjim, 14th February, 1964.

Planning and Development Department

ORDER

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Food) published under G. S. R. 1152, dated the 28th June, 1963, in the Gazette of India (Part II Section 3 Sub-section (i) dated 6th July, 1963) and with the prior concurrence of the Central Government, the Administrator of Goa, Daman and Diu is pleased to make the following Order, namely: —

1. *Short Title, Extent and Commencement.* — (1) This Order may be called The Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964.

e Dio designa os oficiais a seguir mencionados, como sendo autoridades competentes para apreciar e decidir todas as reclamações contra a redução de salários ou demora no pagamento dos mesmos a pessoas empregadas ou pagas nessas áreas.

Designação do oficial	Área
1. Juizes da Comarca (Taluka Judges)	Limites das suas respectivas Comarcas.
2. Juizes do Julgado Municipal (Taluka sub-judges)	Limites dos seus respectivos Julgados Municipais.

O GOVERNADOR-TENENTE

M. R. Sachdev

Pangim, 17 de Fevereiro de 1964.

Portaria

No uso das faculdades que me são conferidas pelo artigo 3.º de «The Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962», e sem embargo do disposto em qualquer lei presentemente em vigor neste território, determino o seguinte:

É declarada de utilidade pública e necessidade urgente a expropriação dos terrenos infra relacionados, necessários para a construção do matadouro municipal em Bastorá:

1 — Prédio denominado «Banleachó Cuddó e Xendó», sito em Bastorá, pertencente a comunidade da referida aldeia na área de 192 m² e do valor arbitrado de Rps. 192/-.

2 — Idem denominado «Vadachannachi Vassan», sito em Bastorá, pertencente a dita comunidade, na área de 396 m² e do valor arbitrado de Rps. 396/-.

3 — Idem denominado «Muró», sito em Bastorá, pertencente a herdeiros de Deodata Castelino e de Caetano António Crisanto Castelino, da dita de Bastorá, na área de 3254 m² e do valor de Rps. 1627/-.

4 — Idem denominado «Cantorla», sito em Bastorá, pertencente aos herdeiros de José João de Mendonça, da dita, na área de 26 m² e do valor de Rps. 13/-.

É fixado o prazo de um ano para a conclusão de obras de que se trata a partir da expropriação.

P. J. Fernandes

Secretário-Chefe

Pangim, 14 de Fevereiro de 1964.

(2) It extends to the whole of the Union Territory of Goa, Daman and Diu.

(3) It shall come into force on 1st March 1964.

2. *Definitions.* — In this Order, unless the context otherwise requires,

(a) “dealer” means a person engaged in the business of purchase, sale or storage for sale of any one of the foodgrains in quantity of ten quintals or more at any one time, or in quantity of twenty-five quintals or more of all foodgrains taken together, but does not include a person who —

(i) stores any foodgrains produced by him by personal cultivation; and

(ii) does not engage in the business of purchase or sale of foodgrains.

- (b) "foodgrains" means any one or more of the foodgrains specified in Schedule I to this Order including products of such foodgrains other than husk and bran;
- (c) "Form" means a form set forth in Schedule II to this Order;
- (d) "licensing authority" means an officer appointed by the State Government to exercise the powers and perform the duties of the licensing authority under this Order; and
- (e) "State Government" means the Government of the Union Territory of Goa, Daman and Diu.

3. *Licensing of Dealers.* — (1) No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority.

(2) For the purpose of this clause, any person who stores any foodgrains in quantity of 10 quintals or more of any one of the foodgrains or 25 quintals of all foodgrains taken together at any one time shall, unless the contrary is proved, be deemed to store the foodgrains for the purposes of sale.

4. *Issue of Licence.* — (1) Every application for a licence or renewal thereof shall be made to the licensing authority in Form 'A'.

(2) Every licence issued or renewed under this Order shall be in Form 'B'.

5. *Period of Licence and Fees Chargeable.* — Every licence granted under this Order shall be valid for a period ending the 31st December of the year in which it is issued and may be renewed for a period of one year at a time.

(2) The fees specified below shall be chargeable in respect of each licence, namely: —

For issue of licence	Rs. 5/-
For renewal of licence	Rs. 2/-
For issue of a duplicate licence	Rs. 10/-

(3) A separate licence shall be obtained by a dealer for each place of business.

6. *Deposit of Security.* — Every dealer who at the commencement of this Order holds a valid licence granted under the Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964 shall within two months of such commencement and every person applying for licence after such commencement, shall before his licence is issued to him, deposit with the licensing authority security of the value of Rs. 1,000/- if his annual turnover is Rs. 30,000/- or more or Rs. 500/- if his annual turnover is less than Rs. 30,000/-, for the due performance of the conditions subject to which the licence is granted to him.

7. *Power to Refuse Licence.* — The licensing authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing refuse to grant or renew a licence.

8. *Contravention of Conditions of Licence.* — No holder of a licence issued under this Order or his agent or servant or any other person acting on his behalf shall contravene any of the terms or conditions of the licence and if any such holder or his agent or servant or any other person acting on his behalf contravenes any of the said terms or conditions, then, without prejudice to any other action

that may be taken against him, his licence may be cancelled or suspended by order in writing of the licensing authority:

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

9. *Forfeiture of Security Deposit.* — (1) Without prejudice to the provisions of clause 8, if the licensing authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of the security deposit is called for, it may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit, the whole or any part of the security deposited by him and communicate a copy of the order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 6 forthwith deposit further security to make up that amount on being required by the licensing authority to do so.

(3) Upon due compliance by the licensee with all obligations, under the licence, the amount of security or such part thereof, which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

10. *Appeal.* — (1) Any person aggrieved by any order of the licensing authority refusing to grant or renew a licence or cancelling or suspending a licence or forfeiting the security deposit by the licensee under the provisions of this Order may appeal to the State Government within 30 days of the date of the receipt by him of such order.

(2) No order shall be made under this clause unless the aggrieved person has been given a reasonable opportunity of stating his case.

(3) Pending the disposal of an appeal, the State Government may direct that the order refusing to renew a licence or the order cancelling or suspending a licence shall not take effect until the appeal is disposed of.

11. *Powers of entry, Search, Seizure etc.* — (1) The licensing authority or any other officer authorized by the State Government in this behalf, may with such assistance, of any, as he thinks fit —

(a) require the owner, occupier or any other person in charge of any place, premises, vehicle, or vessel in which he has reason to believe that any contravention of the provision of this Order or of the conditions of any licence issued thereunder has been, is being, or is about to be committed, to produce any book, accounts or other documents showing transactions relating to such contraventions;

(b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder, has been, is being, or is about to be committed;

(c) take or cause to be taken, extracts from or copies of, any documents showing transactions relating to such contraventions which are produced before him;

- (d) search, seize and remove stocks of foodgrains and the animals, vehicles, vessels or other conveyances used in carrying the said foodgrains in contravention of the provisions of this Order, or of the conditions of the licences issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of foodgrains and the animals, vehicles, vessels or other conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure 1898 (V of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

12. *Repeal and Saving.*—(1) The Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1963 published in Government Gazette, (Supplement), Series I, no. 29 dated 25th July, 1963 shall stand repealed except as respects things done or omitted to be done under the Order so repealed.

SCHEDULE I

[See clause 2(b)]

- | | |
|--------------------------|-----------------------------|
| 1. Wheat. | 7. Barley. |
| 2. Paddy (rice in husk). | 8. Minor Millets (e.g. Ragi |
| 3. Rice (husked). | Kodo). |
| 4. Jowar. | 9. Gram. |
| 5. Bajra. | 10. Milo. |
| 6. Maize. | 11. Sorghum. |

SCHEDULE II

Form A

[See clause 4(1)]

The Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964.

Application for grant/renewal of licence

- Applicant's name.
- Applicant's profession.
- Applicants's residence.
- Situation of applicant's place of business with particulars as to number of house, mohalla, town, or village, police station and district.
- How long has the applicant been trading in foodgrains?
- Did the applicant hold a foodgrains licence on any previous occasion? (If so, give particulars including its suspension or cancellation, if any).
- Quantities of each foodgrain handled annually during the last three years.
- Quantity of foodgrains likely to be handled during the current year.
- Income-tax paid in the two years preceding the year of application (to be indicated separately).
 -
 -
- (a) Quantity of foodgrains in the possession of the applicant on the date of application. (Separate figures are to be given for each foodgrain).
 - Complete address of places where foodgrains are/are proposed to be stored. —

I declare that the quantities of foodgrains specified above are in my possession this day and are held at the places noted above.

I have carefully read the conditions of licence given in Form «B» appended to the Goa, Daman and Diu Foodgrains Dealers' Licensing Order, 1964, and I agree to abide by them.

- * (a) I have not previously applied for such licence in this district for foodgrains.
- * (b) I applied for such licence in this district for on and was/was not granted a licence on
- * (c) I hereby apply for renewal of licence no. dt. issued to me on

Place

Date

Signature of the applicant

* Strike off the clauses not applicable.

Form B

[See clause 4(2)]

The Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964.

Licence for purchase, sale/storage for sale of foodgrains

Licence No.

1. Subject to the provisions of the Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964 and to the terms and conditions of this licence is/are hereby authorised to purchase, sell, or store for sale, the undermentioned foodgrains.

.....
.....
.....

2. (a) The licensee shall carry on the aforesaid business at the following place: —

.....

(b) Foodgrains in which the aforesaid business is to be carried on shall not be stored at any place other than any of the godowns mentioned below: —

.....
.....
.....

Note.—If the licensee intends storing his foodgrains in places other than those specified above, he shall give prior intimation thereof and shall produce the licence for making requisite changes by the licensing authority.

3. (1) The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, maintain a register of daily accounts for each of the foodgrains mentioned in paragraph 1, showing correctly —

- the opening stock on each day;
- the quantities received on each day showing the place from where and the source from which received;
- the quantities delivered or otherwise removed on each day showing the places of destination; and
- the closing stock on each day.

(ii) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause the burden of proving which, shall be upon him.

(iii) A licensee who is a producer himself shall separately show the stocks of his own produce in the daily account, if such stocks are stored in his business premises.

4. The licensee shall, except when specially exempted by the State Government or by an officer authorised by the State Government in this behalf, submit to the licensing authority concerned a true return, in form C, of the stocks, receipts and deliveries of each of the foodgrains every fortnight (1st to 15th and 16th to end of the month), so as to reach him within five days after the close of the fortnight.

5. The licensee shall not contravene the provisions of the Goa, Daman and Diu Foodgrains Dealers' Licensing Order, 1964, or any other Order relating to foodstuffs issued under the Essential Commodities Act, 1955 (10 of 1955).

6. The licensee shall not contravene the provisions of any law relating to foodstuffs for the time being in force.

7. The licensee shall not, —

- enter into any transaction involving purchase, sale or storage for sale of foodgrains in a speculative manner prejudicial to the maintenance and easy availability of supplies of foodgrains in the market;

- (ii) withhold from sale supplies of foodgrains ordinarily kept for sale; or
- (iii) charge, in respect of sales of foodgrains made by him, a margin of profit in excess of the rate prevailing in the market at the time of sale or at a rate in excess of any maximum rate of margin fixed for wholesale transactions in foodgrains by a representative body of foodgrains dealers for the locality concerned, whichever is less.

8. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the price list of foodgrains held by him for sale. Such price list shall be legibly written in the principle language of the locality concerned. It shall indicate separately the prices of different varieties of foodgrains.

9. The licensee if he is a wholesaler shall sell foodgrains only to retailers (including himself if he also sells in retail) who are registered with him and in accordance with such directions as the licensing authority or any officer authorized by that authority in this behalf, may give from time to time. The register of retailers shall be in form «D».

10. The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, issue to every customer a correct receipt or invoice, as the case may be, giving his own name, address and licence number, the name, address and licence number (if any) of the customer, the date of transaction, the quantity sold, the price per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any officer authorized by it in this behalf.

11. The licensee shall give all facilities at all reasonable times to the licensing authority of any officer authorized by it or the State Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of foodgrains and for the taking of samples of foodgrains for examination.

12. The licensee shall comply with any direction that may be given to him by the State Government in regard to purchase, sale and storage for sale, of foodgrains and in regard to the language in which the register, returns, receipts or invoices mentioned in paragraphs 3, 4, 8, 9 or 10 shall be written and the authentication and maintenance of the register mentioned in paragraphs 3 and 9.

13. The licensee shall in a case where he functions in a regulated market abide by such instructions relating to his business as are given by the marketing authority having jurisdiction, and in any other case by such body as may be recognised by the State Government in this behalf.

14. The licensee shall not sell or offer to sell in any locality any foodgrain at a price higher than that fixed, for sale of that foodgrain in such locality, by the Central Government or the State Government in pursuance of any power conferred by law.

15. This license shall be attached to any application for renewal.

16. This licence shall be valid up to 31st December, 196.....

Place

Date

((Licensing Authority))

Form C

(For use by a dealer)

(See condition 4 of Form B)

Return of stocks, receipts and sales of foodgrains for the fortnight ending 196 .

Name

No. of licence

Address

Particulars of godowns where stock held

Variety of the foodgrains.

Particulars Quantity in quintals Remarks, if any.

1. Stock at the beginning of the fortnight.
 - (a) actually with the stockist.
 - (b) pledged with any person or institution such as a bank or cooperative society.

Total.
2. (a) Quantity purchased during the fortnight and the source of supply.
 - (b) Average price paid.

Total quantity purchased.
3. (a) quantity sold and delivered/removed during the fortnight.
 - (b) quantity sold but not yet delivered.
 - (c) Average price realized/charged.

Total sold.
4. Stock at the end of the fortnight.
 - (a) actually with the stockist.
 - (i) unsold.
 - (ii) Sold but awaiting delivery.
 - (b) pledged with any person or institution such a bank or a cooperative society.

Total.
5. Details of average margin in respect of stocks of each of the foodgrains sold during the quarter ending.
 - (i) Rice
 - (a) Handling
 - (b) Transport
 - (c)
 - (d)
 - (e) net profit
 - (ii) Wheat
 - (a) Handling
 - (b) Transport
 - (c)
 - (d)
 - (e) net profit

Note — Information in respect of items 2(b), 3(c) and 5 shall be furnished by the licensee for each of the quarters ending 31st March, 30th June, 30th September and 31st December of every year. This information shall be included in the fortnightly return relating to the fortnight ending with the respective quarter.

To

L. Licensing Authority

district.

Place

Date

Signature.

Licence no.

Form D

(See condition 9 of Form B)

REGISTER OF RETAILERS

1. Name of the licensee.
2. Address.
3. Licence number

Serial number of registration	Name and address of the retailer
(1)	(2)

By order and in the name of the Administrator of Goa, Daman and Diu.

A. F. Couto, Development Commissioner.

Panjim, 12th February, 1964.